



General Assembly

***Substitute Bill No. 6885***

*January Session, 2001*

***AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE  
FOR EXPOSURE TO HEPATITIS, TUBERCULOSIS AND MENINGITIS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) As used in this section:

2 (1) "Body fluids" means blood and body fluids containing visible  
3 blood and other body fluids to which universal precautions for  
4 prevention of occupational transmission of blood-borne pathogens, as  
5 established by the Centers for Disease Control, apply. For purposes of  
6 potential transmission of meningococcal meningitis or tuberculosis, the  
7 term "body fluids" includes respiratory, salivary and sinus fluids,  
8 including droplets, sputum and saliva, mucous and other fluids  
9 through which infectious airborne organisms can be transmitted  
10 between persons.

11 (2) "Emergency rescue or public safety worker" means a local or  
12 state police officer, state marshal, judicial marshal, correction officer,  
13 emergency medical technician, medical response technician,  
14 paramedic, ambulance driver, firefighter, active member of a volunteer  
15 fire company or fire department engaged in volunteer duties, or active  
16 member of an organization certified as a volunteer ambulance service  
17 in accordance with section 19a-180 of the general statutes who, in the  
18 course of employment, runs a high risk of occupational exposure to  
19 hepatitis, meningococcal meningitis or tuberculosis.

20 (3) "Hepatitis" means hepatitis A, hepatitis B, hepatitis non-A,  
21 hepatitis non-B, hepatitis C or any other strain of hepatitis generally

22 recognized by the medical community.

23 (4) "High risk of occupational exposure" means risk that is incurred  
24 because a person subject to the provisions of this section, in  
25 performing the basic duties associated with such person's  
26 employment:

27 (A) Provides emergency medical treatment in a nonhealthcare  
28 setting where there is a potential for transfer of body fluids between  
29 persons;

30 (B) At the site of an accident, fire or other rescue or public safety  
31 operation, or in an emergency rescue or public safety vehicle, handles  
32 body fluids in or out of containers or works with or otherwise handles  
33 needles or other sharp instruments exposed to body fluids;

34 (C) Engages in the pursuit, apprehension or arrest of law violators  
35 or suspected law violators and, in performing such duties, may be  
36 exposed to body fluids; or

37 (D) Is responsible for the custody and physical restraint, when  
38 necessary, of prisoners or inmates within a prison, jail or other criminal  
39 detention facility, while on work detail outside the facility or while  
40 being transported and, in performing such duties, may be exposed to  
41 body fluids.

42 (5) "Occupational exposure", in the case of hepatitis, meningococcal  
43 meningitis or tuberculosis, means an exposure that occurs during the  
44 performance of job duties that may place a worker at risk of infection.

45 (b) Any emergency rescue or public safety worker who suffers a  
46 condition or impairment of health that is caused by hepatitis,  
47 meningococcal meningitis or tuberculosis that requires medical  
48 treatment, and that results in total or partial incapacity or death shall  
49 be presumed to have sustained such condition or impairment of health  
50 in the course of employment and shall be entitled to receive workers'  
51 compensation benefits pursuant to chapter 568 of the general statutes,

52 unless the contrary is shown by competent evidence, provided:

53 (1) The emergency rescue or public safety worker has, prior to  
54 diagnosis, undergone standard, medically acceptable tests for evidence  
55 of the communicable disease for which the presumption is sought or  
56 for evidence of medical conditions derived therefrom, which tests  
57 failed to indicate the presence of infection, or in the case of hepatitis  
58 infection, shall have banked serum for future testing, which future  
59 tests fail to reveal evidence of infection; and

60 (2) The emergency rescue or public safety worker presents a written  
61 affidavit verifying by written declaration that, to the best of the  
62 worker's knowledge and belief:

63 (A) In the case of meningococcal meningitis, in the ten days  
64 immediately preceding diagnosis, the worker was not exposed, outside  
65 the scope of employment, to any person known to have meningococcal  
66 meningitis or known to be an asymptomatic carrier of the disease.

67 (B) In the case of tuberculosis, in the period of time since the  
68 worker's last negative tuberculosis skin test, the worker has not been  
69 exposed, outside the scope of employment, to any person known by  
70 the worker to have tuberculosis.

71 (c) The employing agency shall maintain a record of any known or  
72 reasonably suspected exposure of an emergency rescue or public safety  
73 worker in its employ to the diseases described in this section and shall  
74 immediately notify the employee of such exposure. An emergency  
75 rescue or public safety worker shall file an incident or accident report  
76 with the worker's employer of each instance of known or suspected  
77 occupational exposure to hepatitis infection, meningococcal meningitis  
78 or tuberculosis.

**LAB**      **JOINT FAVORABLE SUBST. C/R**

**APP**

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